

KATHLEEN J. ENGLAND, Nevada Bar No. 206
GILBERT & ENGLAND LAW FIRM
610 South Ninth Street
Las Vegas, Nevada 89101
Telephone: 702.529.2311
E-mail: kengland@gilbertenglandlaw.com

JASON R. MAIER, Nevada Bar No. 8557
DANIELLE J. BARRAZA, Nevada Bar No. 13822
MAIER GUTIERREZ & ASSOCIATES
8816 Spanish Ridge Avenue
Las Vegas, Nevada 89148
Telephone: 702.629.7900
Facsimile: 702.629.7925
E-mail: jrm@mgalaw.com
djb@mgalaw.com

*Attorneys for Plaintiffs William J. Berry, Jr.,
Cynthia Falls and Shane Kaufmann*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WILLIAM J. BERRY, JR.; CYNTHIA
FALLS; SHANE KAUFMANN,

Plaintiffs,

vs.

DESERT PALACE, INC. d/b/a CAESARS
PALACE; et al.,

Defendants.

Case No.: 2:17-cv-00019-APG-BNW

**STIPULATION AND REQUEST
FOR AN ORDER TO EXTEND
JOINT PRETRIAL ORDER
DEADLINE**

(THIRD REQUEST)

IT IS HEREBY STIPULATED AND AGREED among Plaintiffs and Defendant that the deadline for filing the Joint Pretrial Order be extended by 10 days, **from November 2, 2020 to November 12, 2020.**

The justification for this extension is as follows. Previously, the Court (on November 4, 2019) granted the first extension to file the Joint Pretrial Order [ECF No. 149] based on the Defendant's (then-pending) motion to consolidate (ECF No. 32) this case with another case, *Kaufmann v. Desert Palace, Inc.*, Case No. 2:18-cv-02037-KJD-DJA. On March 25, 2020, in that other case, *Kaufmann v. Desert Palace, Inc.*, USD Judge

1 Dawson issued a decision denying consolidation. ECF No. 48.

2 The parties were then required to submit the Joint Pretrial Order within 60 days of
3 the March 25, 2020 Order in the other *Kaufmann* case. ECF No. 149. However, another
4 filing occurred in the meantime which impacted that deadline.

5 On November 15, 2019, after the Court issued its first order extending the deadline
6 to file the Joint Pretrial Order, Plaintiffs filed their motion to alter or amend the Court's
7 order granting in part Defendant's motion for summary judgment [ECF No. 150].
8 Because the Court's decision on that motion would have significant impact on the content
9 of the Joint Pretrial Order, the parties again requested a second extension on the deadline
10 to file the Joint Pretrial Order. ECF No. 158. That request was granted on April 3, 2020,
11 making the new deadline 60 days after the Court's decision on Plaintiffs' motion to alter
12 or amend. ECF No. 159.

13 On September 3, 2020, the Court issued its order denying Plaintiffs' motion for
14 reconsideration, thus making the deadline to file the Joint Pretrial Order November 2,
15 2020. ECF No. 163.

16 In light of changes to Plaintiffs' counsel's traveling schedule and unavailability,
17 the parties now request that the Court extend the deadline for filing the Joint Pretrial Order
18 by 10 days, from November 2, 2020 to November 12, 2020.

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

This is the parties' third stipulation to extend the Joint Pretrial Order filing deadline. As set forth above, this stipulation is made in good faith in order to allow the parties sufficient time to attempt to come to an agreement on a Joint Pretrial Order. This stipulation is not for the purpose of causing any undue delay, and the parties agree that good cause therefore exists for an extension.

DATED this 2nd day of November, 2020. DATED this 2nd day of November, 2020.

MAIER GUTIERREZ & ASSOCIATES

LITTLER MENDELSON, P.C.

/s/ Danielle J. Barraza

/s/ Ethan D. Thomas

KATHLEEN J. ENGLAND
Nevada Bar No. 206
GILBERT & ENGLAND LAW FIRM
610 South Ninth Street
Las Vegas, Nevada 89101

PATRICK H. HICKS
Nevada Bar No. 4832
ETHAN D. THOMAS
Nevada Bar No. 12874
3960 Howard Hughes Parkway, Ste. 300
Las Vegas, NV 89169

JASON R. MAIER
Nevada Bar No. 8557
DANIELLE J. BARRAZA
Nevada Bar No. 13822
8816 Spanish Ridge Avenue
Las Vegas, Nevada 89148
*Attorneys for Plaintiffs William J. Berry,
Jr., Cynthia Falls and Shane Kaufmann*

ESTHER G. LANDER (pro hac vice)
AKIN GUMP STRAUSS HAUER FELD LLP
1333 New Hampshire Avenue, NW
Washington, DC 20036-1564

*Attorneys for Defendant Desert Palace,
Inc. d/b/a Caesars Palace*

IT IS SO ORDERED.

Dated this 2nd day of November, 2020.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE